

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENZO BIOCHEM, INC., *et al.*,

Plaintiffs,

-v-

MOLECULAR PROBES, INC.,

Defendant.

ROCHE DIAGNOSTICS GMBH, *et al.*,

Plaintiffs,

-v-

ENZO BIOCHEM, INC., *et al.*,

Defendants.

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No. 03 Civ. 3816 (RJS)
ORDER

No. 04 Civ. 4046 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

Now before the Court is a joint letter, dated July 9, 2014 and submitted under seal, from Enzo Biochem, Inc. and Enzo Life Sciences, Inc. (collectively, "Enzo") and Greenberg Traurig concerning Enzo's request for discovery in advance of filing its opposition to Greenberg Traurig's motion to set the value of its charging lien. At this point, the Court is not persuaded by Enzo's asserted entitlement to the enumerated discovery. Accordingly, IT IS HEREBY ORDERED THAT Enzo shall submit its opposition brief no later than July 16, 2014. IT IS FURTHER ORDERED THAT if Enzo seeks discovery from Greenberg Traurig, it shall specify those requests and their relevance within the context of the brief.

Given the presumption in favor of open records applicable to court documents as articulated in *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006), IT IS FURTHER ORDERED THAT, by July 18, 2014, the parties shall submit via email a jointly proposed redacted version of the July 9, 2014 letter. Upon approval by the Court, the redacted versions will be publicly docketed in the Enzo matters.

SO ORDERED.

DATED: July 11, 2014
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE